

Item No.	Classification: Open	Date: 14 June 2024	Decision Taker: Cabinet Member for Clean Air, Streets and Waste
Report title:		Minor Traffic Schemes Tranche 1 24-25	
Ward(s) or groups affected:		Various (detailed in Table 1)	
From:		Head of Highways	

RECOMMENDATIONS

That the cabinet member for clean air, streets and waste:

1. Approves the non-strategic traffic and highway improvements and complementary streetspace measures detailed in the appendices to this report and summarised in Table 1, implemented by way of powers under the Highways Act 1980 ("1980 Act") and orders made under the Road Traffic Regulation Act ("1984 Act"), subject to the outcome of any necessary statutory consultation and procedures.
2. Instructs officers to make the necessary Traffic Management Orders ("TMOs") in accordance with sections 6, 9 and 124 (and the other relevant powers identified in this report) of the 1984 Act subject to statutory consultation carried out pursuant to the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996 ("1996 Regulations").
3. To authorise officers to exercise discretion as to whether or not to hold a public inquiry in the event objections are received related to any of the proposed TMOs following statutory consultation pursuant to Regulation 9(1) of the 1996 Regulations.
4. Notes that in the event objections to the proposed permanent TMOs are received following statutory consultation, a further report will be presented to the Cabinet Member in order for determination whether to proceed with the making of the TMOs.

BACKGROUND INFORMATION

5. Under paragraph 22 of Part 3D of the council's constitution, the Cabinet Member is responsible for decisions to implement a traffic and highway improvement project, subject to statutory consultation and for determining statutory objections to a traffic and highway improvement project (paragraph 23).

6. Under Part 3H of the council's constitution, the relevant Multi-Ward Forum shall be consulted on any non-strategic traffic and highways improvement.
7. This report deals with a number of non-strategic traffic and highway improvement proposals.
8. The origins and reasons for the recommendations are discussed within the key issues section of this report and relevant appendices.

KEY ISSUES FOR CONSIDERATION

9. In line with Part 3H of the council's constitution, all of the individual proposals in this report have been circulated to ward councillors who make up the relevant Multi-Ward Forums to allow them to make comments on the proposals before they are presented to the Cabinet Member for decision. Comments were received by ward councillors to gain a better understanding of the proposals. After speaking with them the relevant ward councillors were happy to proceed with the proposals in table 1 below.
10. Officers note that for the proposal at Holbeck Row (removing a disabled bay) (see Appendix 23) two councillors were in favour and one councillor objected. Officers have recommended this proposal for approval because there is evidence that the disabled bay is no longer in use.
11. The rationale for each proposal is summarised in Table 1 and discussed in the relevant appendix which contains a detailed design drawing.

Table 1 Summary of traffic and highway improvements presented to the Cabinet Member for approval

Scheme key

MTS – Minor Traffic Scheme

Perm – Permanent

DHB – Devolved Highway Budget

DPPP – Disabled Persons Parking Place

BH – Bike Hangar

Appendix reference	Location	Ward	Proposal	Funding	Reason for proposal
1	Rye Road/Surrey Road	Peckham Rye	Double yellow lines for junction protection	MTS/PERM	To improve visibility and safety at the junction
2	Alleyn Park	Dulwich Wood	Double yellow lines for proposed crossover	MTS/PERM	To improve visibility when exiting and entering the driveway
3	Hampton Street	Newington	Convert single yellow line to double yellow lines	MTS/PERM	To prevent obstruction to the car ports
4	Scutari Road	Peckham Rye	Double yellow lines for junction protection	MTS/PERM	To improve visibility and safety at the junction
5	Shelbury Road	Peckham Rye	Double yellow lines for junction protection	MTS/PERM	To improve visibility and safety at the junction
6	Sam King Walk	Camberwell Green	Additional double yellow line and parking bays	MTS/PERM	Existing road layout is to be changed for a correct TMO to be in place.
7	Burbage Road	Dulwich Village	Double yellow lines for proposed crossover	MTS/PERM	To improve visibility when exiting and entering the driveway

Appendix reference	Location	Ward	Proposal	Funding	Reason for proposal
8	Astbury Road	Nunhead & Queens Road	Double yellow lines for proposed crossover and for the business entrance	MTS/PERM	To improve visibility when exiting and entering
9	Melford Road	Dulwich Wood	Double yellow lines for the existing cycle lane	MTS/PERM	To allow for cyclist to stay in the cycle lane without having to cycle into oncoming traffic
10	Grove Vale	Goose Green	Extend loading only bay times	MTS/PERM	To allow more time for loading/unloading
11	Aylesbury Road	Faraday	Remove permit bay and install double yellow lines	MTS/PERM	The existing Permit bay is too close to the junction which is causing collisions and poor visibility
12	Villa Street	Faraday	Remove permit bay and install double yellow lines	MTS/PERM	The existing Permit bay is too close to the junction which is causing collisions and poor visibility
13	Brettell Street	Faraday	Remove permit bay and install double yellow lines	MTS/PERM	The existing Permit bay is too close to the junction which is causing collisions and poor visibility
14	Howland Way/Steers Way/Reverly Square	Surrey Docks	Proposed double yellow lines and introduction of permit parking area	MTS/PERM	To prevent obstructive parking and to make the area a PPA to increase parking capacity
15	Somerford Way	Surrey Docks	Proposed double yellow lines and introduction of permit parking area	MTS/PERM	To prevent obstructive parking and to make the area a PPA to increase parking capacity
16	Rainbow Quay/Swedish Quay	Surrey Docks	Proposed double yellow lines and introduction of permit parking area	MTS/PERM	To prevent obstructive parking and to make the area a PPA to increase parking capacity
17	Grove Hill Road	Champion Hill	Revoke the existing disabled bay and replace with permit bay	DPPP/PERM	Disabled bay is no longer in use

Appendix reference	Location	Ward	Proposal	Funding	Reason for proposal
18	Bramcote Grove	Old Kent Road	Revoke the existing disabled bay and replace with permit bay	DPPP/PERM	Disabled bay is no longer in use
19	Copleston Road	Goose Green	Revoke the existing disabled bay and replace with permit bay	DPPP/PERM	Disabled bay is no longer in use
20	Choumert Road	Rye Lane	Remove 39m double yellow lines and replace with a loading bay and remove 5.5m resident permit holder parking bay and replace with a short stay parking bay	MTS/EXP	To allow for a dedicated space for vehicles to load/unload safely and parking provision for people visiting local shops
<u>22</u>	Trundle Street	Borough & Bankside	Proposed permit bay markings	MTS/PERM	To make up the loss of parking when the pedestrian crossing was installed
<u>23</u>	Holbeck Row	Peckham	Revoke the existing disabled bay and replace with permit bay	DPPP/PERM	Disabled bay is no longer in use
24	Hawkstone Road	Rotherhithe	Extend existing single yellow line and install a school keep clear markings	MTS/PERM	To make the school entrance safer for children
<u>25</u>	St Aidans Road	Dulwich Hill	Proposed double yellow lines and remove parking bays	DHB/PERM	To provide passing places for on coming vehicles and for junction protection
26	Gallery Road	Dulwich Village	Proposed school keep clear markings	MTS/PERM	To make the school entrance safer for children
27	Lyndhurst Grove	St Giles	Proposed double blips on the junction	MTS/PERM	To make it safer at the junction and to prevent vehicles from mounting the kerb
28	Brisbane Street	Camberwell Green	Convert single yellow line to double yellow lines	MTS/PERM	To prevent obstructive parking

Appendix reference	Location	Ward	Proposal	Funding	Reason for proposal
29	Brook Drive	St Georges	Convert Pay by phone bay to car club bay	MTS/PERM	For part of the development
30	College Road	Dulwich Village	Proposed cycle and pedestrian route on footway	MTS/PERM	To propose on street signage to alert cyclist this section of footpath is shared use with pedestrians
31	Churchyard Passage	St Giles	Proposed cycle and pedestrian route on footway	MTS/PERM	To propose on street signage to alert cyclist this section of footpath is shared use with pedestrians
32	Bonar Road	Peckham	Remove build out and install parking bays	MTS/PERM	The build out was suffering from server ponding so it was best to remove and install parking bays
33	Meeting House Lane/Springall Street	Old Kent Road	Relocate existing cycle hangar	BH/PERM	Concerns about the existing hangar outside the church to be relocated.
34	Comber Grove	Camberwell Green	Convert 1m existing single yellow line to permit bay	MTS/PERM	From the footway build out they removed 1m of permit bay and would like to add what they lost back on the other end of the bay.
35	Cerise Road	Rye Lane	Extend the current car park restrictions for other parking bays	MTS/PERM	Some of the parking bays do not currently have a TMO

Proposal on Cerise Road

12. Cerise Road car park is open 24 hours a day seven days a week and has charges for parking from 08.30 to 18.30 Monday to Saturday. The parking charges are £2.50 an hour for vehicles and there is an additional diesel surcharge applied which takes the charge to £3.75 per hour for diesel vehicles. The car park offers free parking at all times to Disabled Blue Badge holders and dedicated bays. Season tickets to park in the car park can also be purchased. The proposed TMO would extend the same parking conditions as already in place at the car park to an additional 15 spaces.

Experimental proposal at Choumert Road

13. The council proposes to introduce an experimental traffic scheme at Choumert Road which will remove double yellow lines replaced with a loading bay and remove 5.5m of a resident permit holder parking bay and replaced with a short stay parking bay. The scheme will be introduced on a trial basis to review the effectiveness and impact before it is made permanent. Feedback from residents will be considered during the period of the order (which cannot be longer than 18 months) after which a decision will be made on whether the order should be made permanent.

Policy implications

14. The proposals set out in Table 1 support the following objectives of the Council's Delivery Plan by making the relevant highways safer and more pleasant for pedestrians and cyclists by reducing the dominance of vehicular traffic:

24a - Work with local communities to design safer, greener and healthier streets for walking and cycling, prioritising areas with high health inequalities and low car ownership first.

24c - Deliver on our equal pavements pledge, working with older people, those with disabilities and limited mobility to make sure Southwark's streets are accessible for everyone.

25e - Ensure older and younger people, women and our Black, Asian and minority ethnic communities all have a full say, so we design streets and public transport that works for everyone.

15. The proposals are consistent with the pledges and objectives set out in the Streets for People ("SfP") strategy (approved by Cabinet in July 2023), which outlines the council's ongoing commitment to, and ambition for, healthier neighbourhoods, cleaner air, thriving town centres and safer roads.

16. The relevant SfP pledges and how the proposals set out in Table 1 achieve these pledges are set out below:

Objective 4 – Improve safety and security for everyone using our streets.

Installing double yellow lines at junctions with blips will prevent cars from waiting and parking at Lyndhurst Grove. This will improve safety and provide clear visibility for traffic at the junctions. Proposing School Keep Clear markings at Hawkstone Road and Gallery Road will improve the safety for the children and will alert vehicles that there is a school nearby.

Objective 5 – Make walking, cycling and wheeling easier

Installing double yellow lines at the various locations and junctions will reduce the dominance of motor vehicles facilitating movements for pedestrians and cyclists.

Streets for people supports the PPA's locations at Howland Way, Steers Way, Revery Square, Somerford Way, Rainbow Quay and Swedish Quay by creating good quality space that is accessible and a better place for people who live, work or study.

Community, equalities (including socio-economic) and health impacts

Community impact statement

17. The majority of the proposals set out Table 1 above were requested by residents and they benefit the community by providing safer junction protections for everyone.
18. The proposals are locally based and therefore will have greatest effect upon those people living, working or travelling in the vicinity of the areas where the proposals are made.
19. The recommendations support the council's equalities and human rights policies and promote social inclusion by improving road safety, in particular for vulnerable road users, on the public highway by installing double yellow lines with blips at junctions to help them have clear visibility when crossing.

Equalities (including socio-economic) impact statement

20. The Public Sector Equality Duty ("PSED") is set out in section 149 of the Equality Act 2010 which requires the council, in the exercise of its functions, to have due regard to the need to:
 - eliminate discrimination, harassment and victimisation;
 - advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and those who do not share it.
21. Officers have carried out an equalities impact and needs analysis in light of the council's PSED to assess the impact of the Table 1 proposals on groups

with protected characteristics and to assess whether any mitigating actions could be taken to promote equality and tackle inequalities. Overall, officers consider the proposals have a positive impact on persons with protected characteristics and promote equality of opportunity because it will encourage and improve safe use of the highway by all and for all road users.

22. The introduction of double yellow lines (no waiting/parking) at Rye Road/Surrey Road, Alleyn Park, Hampton Street, Scutari Road, Shelbury Road, Burbage Road, Astbury Road, Melford Road, Aylesbury Road, Villa Street, Brettell Street, Howland Way Steers Way Reverly Square, Rainbow Quay, Swedish Quay, Somerford Way, Brisbane Street, St Aidans Road and the extension of single yellow lines (restricted parking) at Hawkstone Road will benefit elderly and younger pedestrians and those pedestrians with disabilities who will be able to cross the road safely as the presence of motor vehicles will be reduced and views of oncoming traffic will not be restricted by vehicles parked near the relevant junctions. Notwithstanding the no waiting/parking restrictions introduced by the double yellow lines, drivers with disabilities who hold a blue badge will be able to park on the double yellow lines for up to 3 hours.
23. Introducing blips (loading restrictions) at Lyndhurst Grove junction will provide the same benefit explained above in that elderly and younger pedestrians and those pedestrians with disabilities will be able to cross the road safely as their view and access will not be restricted by vehicles stopped near the junction.
24. The introduction of a parking permit bay at Trundle Street and parking permit holders past this post on Howland Way, Steers Way, Reverly Square, Somerford Way, Rainbow Quay and Swedish Quay will provide parking availability for those who most need it, in particularly those with disabilities, mothers with young children and the elderly.
25. The extension of the existing parking restrictions and charges at Cerise Road to include up to a further 15 parking bays will provide parking availability to Rye Lane and the surrounding area for those who most need it, in particularly those with disabilities, mothers with young children and the elderly.
26. The removal of the disabled parking bays at Grove Hill Road, Holbeck Row, Bramcote Grove and Copleston Road will not have an adverse effect on persons with protected characteristics as consultation was carried out with on street notices and there were no objections to the bays being removed as requested by residents. However, removing the disabled bays and replacing them with on street permit bays will provide parking availability for those who most need it, in particularly those with disabilities, mothers with young children and the elderly.
27. Introducing school keep clear markings outside the school on Gallery Road will have a positive effect on people with protected characteristics as this will prevent hazards and will make the area a lot calmer when crossing the road.

28. Officers have not identified any adverse impacts on persons with protected characteristics for the proposals on Grove Vale, Brook Drive, Churchyard Passage, College Road, Comber Grove, Bonar Road, Choumert Road, Sam King Walk and Meeting House Lane/Springall Street.

Health impact statement

29. The proposals are not considered to have any adverse effect on health equalities. The proposals support the council's mission to have zero people killed or injured on our streets by 2041 by improving road safety.

Climate change implications

30. Key aims of the council's Climate Change Strategy include to 'reduce car journeys to a minimum by 2030' and to 'be a borough where walking and cycling becomes the default way to get around'. Part of meeting the borough's ambition of net zero emissions by 2030 includes a reduction in vehicle kms travelled and a shift to active and public transport; road transport currently accounts for 15% of the borough's emissions.

31. By introducing the proposals set out in Table 1 the environment has been made safer for pedestrians and cyclists, promoting active travel. The proposals will reduce the use of motor vehicles by removing parking by the use of double yellow lines which will in turn reduce air pollution and carbon emissions.

32. A just and inclusive transition is at the heart of the council's climate policy. These proposals prioritise the movement of people first and foremost, while retaining vehicle access for those who require it. In delivering a safer and more equitable highway network, the measures are in accordance with the council's approach to addressing the climate emergency.

Resource implications

33. All costs arising from implementing the recommendations will be fully contained within the existing business unit capital and revenue budgets.

34. MTS schemes will be contained within parking revenue budgets.

35. The estimated costs for the batch of schemes detailed in Table 1 are:

- MTS/Permanent schemes - £27k
- DPPP/Permanent Schemes – £5k
- DHB/Permanent Schemes - £5k
- BH/Permanent Schemes -£5k

Timescales

36. If the recommendations are approved by the Cabinet Member they will be progressed in line with the below, approximate timeline:

- Statutory consultation – July 2024
- Reporting back to Cabinet Member with determination of objections (if necessary) – August 2024
- Implementation – September 2024 (if no objections are received)

Legal implications

Statutory Framework

37. In summary, if the recommendations are approved by the Cabinet Member, the traffic and highway improvements set out in Table 1 will be carried out by the council under powers within the 1980 Act and any restrictions will be introduced by TMOs made under various powers in the 1984 Act.

Proposals under the 1980 Act

38. Section 62 of the 1980 Act gives the council the power to improve its highways. This general power enables the council to carry out any work, including the provision of equipment, for the improvement of the highway.

39. Introduce a shared pedestrian and cycle path on College Road and Churchyard Passage under section 65 of the 1980 Act.

Restrictions to be introduced by way of TMOs made under the 1984 Act

Permanent TMOs

40. Many of the proposals set out in Table 1 require traffic restrictions which will be implemented by way of TMOs made under sections 6 and 124 of the 1984 Act (and the specific sections mentioned below).

41. Section 6 of the 1984 Act enables the council to make TMOs to control or regulate vehicular and other traffic (including pedestrians) for:

- any of the purposes or with respect to any of the matters, mentioned in Schedule 1 of the 1984 Act; or
- any other purpose which is a purpose mentioned in any of paragraphs (a) to (g) of section 1(1) of the 1984 Act. These purposes are:
 - (a) avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising,
 - (b) for preventing damage to the road or to any building on or near the road,
 - (c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians),
 - (d) preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property,

- (e) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot,
- (f) preserving or improving the amenities of the area through which the road runs;
- (g) any of the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality).

42. Section 124 and Part IV of Schedule 9 of the 1984 Act provides that certain provisions apply for the making of orders under section 6, such as consulting with the chief officer of police.

43. TMOs will:

- (a) introduce double yellow lines (no waiting/parking) at any time which is authorised by paragraphs 14 and 15 of Schedule 1 of the 1984 Act. at Rye Road/Surrey Road, Alleyn Park, Hampton Street, Scutari Road, Shelbury Road, Burbage Road, Astbury Road, Melford Road, Aylesbury Road, Villa Street, Brettell Street, Howland Way, Steers Way, Reverly Sqaure, Rainbow Quay, Swedish Quay, Somerford Way, Brisbane Street, Sam King Walk and St Aidans Road.
- (b) extend existing single yellow lines (restricted parking) at Hawkstone Road which is authorised by paragraph 14 of schedule 1 of the 1984 Act.
- (c) remove and convert the various parking bays at Howland Way, Steers Way, Reverley Square, Somerford Way, Rainbow Quay, Swedish Quay, Grove Hill Road, Bramcote Grove, Holbeck Row, Copleston Road, Brook Drive, Bonar Road, Meeting House Lane/Springall Street, Comber Grove, Sam King Walk and St Aidans Road as authorised by sections 45, 46 and 49 of the 1984 Act.
- (d) introduce a parking permit bay at Trundle Street as authorised by sections 45 and 46 of the 1984 Act.
- (e) extend existing loading bay times at Grove Vale in accordance with paragraphs 7 and 8 of Schedule 1 of the 1984 Act.
- (f) introduce blips (loading restrictions) at Lyndhurst Grove authorised by paragraph 7, schedule 1 of the 1984 Act;
- (g) exercise the powers conferred on the council by section 35 of the 1984 Act to extend the current parking restrictions and charges on an area of the Cerise Road car park.

44. Officers note that any road marking or traffic signs required to convey the above traffic restrictions will be introduced in accordance with section 64 of the 1984 Act and the Traffic Signs Regulations and General Directions 2016.

45. In respect of the various parking restrictions set out. Officers have considered both the interests of traffic and those of the owners and occupiers of adjoining property in accordance with section 45(3) of the 1984 Act. Residents have requested these be introduced to facilitate their use of the highway and access to their premises (see the appendices for more detail).

Experimental TMO

46. For the proposal on Choumert Road, an experimental TMO will be made under section 9 of the 1984 Act. An order under section 9 can be made for the same purposes as a TMO made under section 6 of the 1984 Act.

47. The proposal is to remove double yellow lines and replace with a loading bay and remove a resident permit holder bay and replace with a short stay parking bay in accordance with paragraphs 7 and 8 of Schedule 1 and sections 45, 46 and 49 of the 1984 Act.

48. Once made the experimental TMO can only be in force for up to 18 months after which the Cabinet Member will determine whether to make the scheme permanent. Officers will present a report to the Cabinet Member in due course.

Section 122 Duty

49. By virtue of section 122(1) of the 1984 Act, the council has a duty in the exercise of its function as highway and traffic authority so as to secure the expeditious, convenient and safe movement of vehicular and other traffic including pedestrians, and the provision of suitable and adequate parking facilities on and off the highway. These powers must be exercised so far as practicable having regard to the following matters listed at section 122(2):

- (a) the desirability of securing and maintaining reasonable access to premises.
- (b) the effect on the amenities of any locality affected including the regulation and restriction of heavy commercial traffic so as to preserve or improve amenity.
- (c) the national air quality strategy.
- (d) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles.
- (e) any other matters appearing to the council to be relevant.

50. The council in satisfying this duty must have proper regard to its s122(1) duty and balancing this duty with the matters set out at s122(2) when making any decision to implement TMOs.

51. In light of the issues discussed in this report and having regard to the matters listed in section 122(2), officers consider that the proposals set out in Table 1 will enable the Council to meet its duty under section 122 of the 1984 Act. Officers refer to the relevant reasons for proposals in Table 1. The matters

which have pointed in favour of implementing the proposals are vehicle and pedestrian safety, the encouragement of active travel, securing and maintain reasonable access to premises (particularly for residents with disabilities) and improving the amenity of the area. These also give effect to the objectives in the SfP Strategy.

52. Section 16(1) of the Traffic Management Act 2004 sets out the traffic management duty. The council as traffic authority has a duty to manage its road network with a view to achieving, so far as may be reasonably practicable having regard to their other obligations, policies and objectives, the following objectives:

- (a) securing the expeditious movement of traffic on the authority's road network; and
- (b) facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority.

53. Officers consider that by implementing proposals the council's network management duty the Council's traffic management duty is satisfied for the reasons set out in paragraph 51.

Statutory Consultation and Objections (Permanent TMOs)

54. Should the Cabinet Member approve the recommendations set out in this report, the council will need to make TMOs under sections 6 and 124 of the 1984 Act and in accordance with the procedure set out in the 1996 Regulations.

55. The council must first consult statutory consultees (such as the police). The council will publish a notice of the proposed TMO in a local newspaper (Southwark News); and the London Gazette, and make all relevant documents available for public inspection at its Tooley Street offices during normal office hours. The council may publish the notice in other places it considers appropriate to ensure adequate publicity such as posting notices on the road in question; or by writing to those premises which may be affected by the TMO.

56. Any person who wishes to object to the making of the TMO must do so in writing within 21 days of the notice, or, if later, within 21 days of the council's compliance with the publicity and deposit rules, in accordance with regulation 8 of the 1996 Regulations.

57. Should any objections be received they must be properly considered in light of administrative law principles, Human Rights law and the relevant statutory powers and section 122 of the 1984 Act. The council must consider all objections before making the TMO and where it does not "wholly accede" to an objection, they must provide reasons for this in its notification of the making of an order to any person that has objected.

58. None of the proposals require the Council to hold a public inquiry, but the council may decide that one is necessary in light of the objections to the

proposed TMO (regulation 9 of the 1996 Regulations). Officers have asked the Cabinet Member to allow them the discretion whether to hold an inquiry or not.

Making of the TMO

59. Following statutory consultation, any objections will be reported to the Cabinet Member for determination whether to proceed with the making of TMO. Officers may consider that the proposed TMO requires modification before it is made. Again, this will be reported to the Cabinet Member. Any substantial modifications may require a fresh consultation process (regulation 14). Should the recommendation be approved the Council will need to give notice of its intention to make a traffic order in accordance with the 1996 Regulations.
60. In the event there are no objections to the proposed TMOs or if objections are received and the Cabinet Member decides to proceed with the making of the TMO, the council may make the TMOs any time between the end of the period set for receipt of objections and a date two years after publication of first notice (regulation 16).
61. The council will make a copy of the TMO as made available for inspection at its Tooley Street offices and, within 14 days of making the TMOs publish in the London Gazette and a local newspaper (Southwark News), a notice of making of the TMO. The Council must also individually notify all those persons who made an objection to the TMO and did not withdraw.
62. The TMO will only come into force once the council has published the notice of making, referred to in paragraph 61 above confirming the order has been made.
63. Before the TMO comes into force the council must ensure proper and necessary signage is implemented on or near the affected road to secure that adequate information as to the effect of the TMO is available to persons using the road in accordance with regulation 18 of the 1996 Regulations.

Statutory Consultation and Objections (Experimental TMO)

64. Officers will consult with the police and relevant bodies in accordance with regulation 6 of the 1996 Regulations. However, regulation 7 in respect of publication and regulation 8 in respect of objections do not apply to experimental TMOs. Therefore there is no requirement to publish a formal Notice of Proposals and to invite objections and representations before the restrictions are implemented. Officers will consult more widely as appropriate to monitor the effects of the experimental TMO.
65. Under regulation 22(2) of the 1996 Regulations, the order is made and a notice of making must be published in a local newspaper in the same way as for a permanent TMO. The provisions of an Experimental TMO cannot come

into force until seven days after the notice of making is published.

66. Once the experimental TMO comes into force, there is a six month period in which objections can be made. If any modifications are made to the order objections can be made in this period starting from the date of the changes.

67. There are no circumstances under which a public inquiry has to be held before making an experimental TMO.

Financial implications

68. The estimated costs for the permanent schemes is £42k for which there is sufficient funding from existing Highways capital and revenue budgets.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Assistant Chief Executive – Governance and Assurance (AGG 16/05/24)

69. The Cabinet Member is asked to approve the recommendations set out at paragraphs 1 to 4 of this report to introduce the various highway and traffic proposals detailed in the appendices to this report and summarised in Table 1 by way of permanent and experimental TMOs and powers exercised under the 1980 Act. These recommendations fall within the powers of the individual Cabinet Member for determination in accordance with paragraph 22, Part 3D of the council's constitution.

70. The background and reasons for the proposals are detailed in the body of the report. To implement some of the proposals the council will make TMOs in accordance with the powers prescribed by the 1984 Act and the process under the 1996 Regulations as set out in the Legal Implications section above. In the event there are objections received via the statutory consultation to any of the proposals which require a permanent TMO then officers will present a further report to the Cabinet Member for him to determine whether to proceed with the making of the relevant TMO.

71. The Council's duty under section 122 of the 1984 Act to secure the expeditious, convenient and safe movement of vehicular and other traffic including pedestrians, and the provision of suitable and adequate parking facilities on and off the highway has been considered at paragraphs 49 to 51. Officers have carried out the exercise of balancing this duty with the various matters listed under section 122(2) and have recommended that proposals should be implemented by way of a TMO.

72. Officers have considered the council's PSED under section 149 of the 2010 Act at paragraphs 20 to 28 of this report and have concluded that the proposals are not considered to have any adverse impacts on persons with protected characteristics, and will advance equality of opportunity.

73. The Human Rights Act 1998 imposes a duty on the council as a public authority to apply the European Convention on Human Rights; as a result the Council must not act in a way which is incompatible with these rights. The relevant rights for highway and traffic purposes are Article 8 (respect for homes); and Article 1 of the First Protocol (peaceful enjoyment of property). The implementation of the proposals is not anticipated to engage or breach the provisions of the Human Rights Act 1998.
74. Council Assembly on 14 July 2021 approved a change to the council's Constitution to confirm that all decisions made by the council will consider the climate and equality (including socio-economic disadvantage and health inequality) consequences of taking that decision. This has been considered at paragraphs 30 to 32 above.

Strategic Director of Finance (ENG24/012)

75. This report requests approval from the Cabinet Member for Climate Emergency, Clean Air & Streets to implement a number of non-strategic traffic and highway improvements and complementary street space measures as summarised in Table 1 of this report.
76. The strategic director of finance notes that the estimated costs for these batch of improvements is £42k and there is sufficient resources within the budgets specified in paragraph 33 of this report to fund these proposals.
77. Staffing and other costs connected with this recommendation to be contained with existing departmental revenue budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Streets for People Strategy 2023	Southwark Council Environment, Neighbourhoods and Growth Department Highways 160 Tooley Street London SE1 2QH	Katie Reeves – Katie.Reeves@so uthwark.gov.uk
Streets for People - Southwark Council		
Climate Change Strategy	Southwark Council Environment, Neighbourhoods and Growth Department 160 Tooley Street Second Floor London SE1 2QH	Tom Sharland (tom.sharland@so uthwark.gov.uk)
https://www.southwark.gov.uk/environment/climate-emergency?chapter=3		

APPENDICES

No.	Title
Appendices 1 to 35	Evidence base for each proposal

AUDIT TRAIL

Lead Officer	Steven Grayer – Head of Highways	
Report Author	Katie Reeves – Project Manager	
Version	Final	
Dated	31.05.2024	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Assistant Chief Executive – Governance and Assurance	Yes	Yes
Strategic Director of Finance	Yes	Yes
Climate Change Strategy	Yes	Yes
Cabinet Member	Yes	No
Date final report sent to Constitutional Team		13 June 2024